



**City of Black Hawk  
City Council**

**January 26, 2022**

**MEETING MINUTES**

Deputy City Clerk Martin rang the bell to open the meeting.

1. CALL TO ORDER: Mayor Spellman called the regular meeting of the City Council to order on Wednesday, January 26, 2022, at 3:00 p.m.

2. ROLL CALL: Present were: Mayor Spellman, Aldermen Armbright, Bennett, Johnson, Midcap, Moates, and Torres.

Staff Present: City Attorney Hoffmann, City Manager Cole, Fire Chief Woolley, Police Chief Moriarty, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Community Planning & Development Director Linker, and Deputy City Clerk Martin.

PLEDGE OF ALLEGIANCE: Mayor Spellman led the meeting in the recitation of the Pledge of Allegiance.

3. AGENDA CHANGES: Deputy City Clerk Martin confirmed there was an addition to the Executive Session language to include legal advice on false fire alarms.

4. CONFLICTS OF INTEREST: City Attorney Hoffmann asked Council to declare any Conflicts of Interest on any issue appearing on the agenda this afternoon other than those previous disclosures and conflicts that have already been disclosed and are on file with the City Clerk and Secretary of State. City Council noted no conflicts.

City Attorney Hoffmann asked the audience if there were any objections to any member of the Council voting on any issue on the agenda this afternoon. There were no objections noted.

5. PUBLIC COMMENT: Deputy City Clerk Martin confirmed no one had signed up to speak.

6. APPROVAL OF  
MINUTES:

January 12, 2022

**MOTION TO  
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Torres to approve the Minutes as presented.

**MOTION PASSED**

There was no discussion, and the motion **PASSED** unanimously.

7. PUBLIC HEARINGS:

**A. CB1, An Ordinance Stating the Intent of the City of Black Hawk to Acquire Certain Property for the Construction, Expansion, and Improvement of City Streets and Roadways, Pursuant to C.R.S. § 38-6-101, C.R.S. § 31-25-201, Article XX, § 1 of the Colorado Constitution, and Article 8, Section 4 of the City of Black Hawk Home Rule Charter**

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann introduced this item which allows the City to go through the legal process necessary to acquire property for its roadway systems and the additional impacts on the roadway systems due to the new Proximo and Gregory Hill development. He added that condemnation proceedings would only begin if the property cannot be acquired voluntarily after an offer at fair market value is given.

**PUBLIC HEARING:**

Mayor Spellman declared a Public Hearing on CB1, an Ordinance stating the intent of the City of Black Hawk to acquire certain property for the construction, expansion, and improvement of City streets and roadways, pursuant to C.R.S. § 38-6-101, C.R.S. § 31-25-201, Article XX, § 1 of the Colorado Constitution, and Article 8, Section 4 of the City of Black Hawk Home Rule Charter open and invited anyone wanting to address the Board either “for” or “against” the proposed Ordinance to come forward.

No one wished to speak, and Mayor Spellman declared the Public Hearing closed.

**MOTION TO  
APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Armbright to approve CB1, an Ordinance stating the intent of the City of Black Hawk to acquire certain property for the construction, expansion, and improvement of City streets and roadways, pursuant to C.R.S. § 38-6-101, C.R.S. § 31-25-201, Article XX, § 1 of the Colorado Constitution, and Article 8, Section 4 of the City of Black Hawk Home Rule Charter.

**MOTION PASSED**

There was no discussion, and the motion **PASSED** unanimously.

**B. CB2, An Ordinance Amending Section 104 of the Black Hawk Employee Handbook Regarding Recruitment and Hiring**

Mayor Spellman read the title and opened the public hearing.

City Manager Cole explained the existing recruiting process is to run an internal notice, and if there are no qualified candidates, then to run an external notice. By amending this section, the goal is to allow the Director of each department the discretion to either run an internal notice or internal and external at the same time.

**PUBLIC HEARING:**

Mayor Spellman declared a Public Hearing on CB2, an Ordinance amending Section 104 of the Black Hawk Employee Handbook regarding recruitment and hiring open and invited anyone wanting to address the Board either “for” or “against” the proposed Ordinance to come forward.

No one wished to speak, and Mayor Spellman declared the Public Hearing closed.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Midcap to approve CB2, an Ordinance amending Section 104 of the Black Hawk Employee Handbook regarding recruitment and hiring.

**MOTION PASSED**

There was no discussion, and the motion **PASSED** unanimously.

**8. ACTION ITEMS:**

**A. Resolution 8-2022, A Resolution Approving the Revised Job Descriptions for the City of Black Hawk Police Department**

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner and Police Chief Moriarty were present to explain the change in job descriptions to increase efficiency in the Police Department. Chief Moriarty feels the full-time Administrative Assistant role can be reduced to part-time to combine it with the part-time Court Clerk to equal the full-time position. The part-time Court Clerk position was attached to the part-time Records Specialist position, which the Chief now feels should be its own full-time position. Also, with new laws and body-worn cameras, the Property & Evidence Technician position is to be re-written to accommodate the changes.

**MOTION TO  
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 8-2022, a Resolution approving the revised job descriptions for the City of Black Hawk Police Department.

**MOTION PASSED**

There was no discussion, and the motion **PASSED** unanimously.

**B. Resolution 9-2022, A Resolution Approving the Commercial Lease with JKQ Consolidated, LLC for the Crook's Palace Property Located at 200 Gregory Street**

Mayor Spellman read the title.

Finance Director Hillis introduced this lease with a term of just over five years. He said it does have some economic development incentives but is fairly similar to other leases.

Alderman Midcap asked about opening dates, to which Mr. Hillis replied that they take ownership on February 1, plan a soft opening in April, and plan to open to the public in May.

City Attorney Hoffmann wanted to point out the one provision that is different in this lease versus the other City leases is the Economic Development Incentives, Section 19, of the lease, which are unique only to Crook's Palace.

**MOTION TO  
APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 9-2022, a Resolution approving the Commercial Lease with JKQ Consolidated, LLC for the Crook's Palace property located at 200 Gregory Street.

**MOTION PASSED**

There was no discussion, and the motion **PASSED** unanimously.

**9. CITY MANAGER  
REPORTS:**

City Manager Cole had nothing to report.

**10. CITY ATTORNEY:**

City Attorney Hoffmann had nothing to report.

**11. EXECUTIVE  
SESSION:**

City Attorney Hoffmann recommended items number 2 and 5 for Executive Session, item 2 is for legal advice regarding false fire alarms as noted under agenda changes, and item 5 is in regards to various City properties.

**MOTION TO ADJOURN  
INTO EXECUTIVE  
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:11 p.m. to hold a conference with the City's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e).

**MOTION PASSED**

There was no discussion, and the motion **PASSED** unanimously.

**MOTION TO  
ADJOURN**

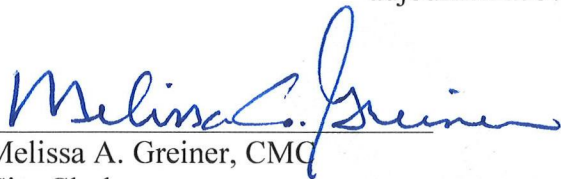
Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 3:45 p.m.

**MOTION PASSED**

There was no discussion, and the motion **PASSED** unanimously

**12. ADJOURNMENT:**

Mayor Spellman declared the Regular Meeting of the City Council adjourned at 3:45 p.m.



Melissa A. Greiner, CMC  
City Clerk



David D. Spellman  
Mayor

